

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:02CR3038
)	
v.)	
)	
EUGENE A. McNEALLY,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's motion (Filing No. 153) to vacate the Court's order of September 9, 2005, denying defendant's motion to vacate a void judgment. The defendant continues to assert that the Court lacks subject matter jurisdiction over the criminal conduct charged in the indictment and, accordingly, seeks an order from the Court vacating ultimately the judgment of conviction and sentence imposed upon him. Defendant's motion is facially without merit and will be denied. Accordingly,

IT IS ORDERED that defendant's motion to vacate the Court's order of September 9, 2005, is denied.

DATED this 31st day of January, 2006.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court